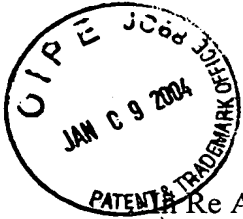


41

01-12-04

RECEIVED
JAN 15 2004
PATENT CENTER 1600/2900

DOCKET NO.: UNGR-1629



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Evan C. Unger

Confirmation No.: 7636

Application No.: 10/046,801

Group Art Unit: 1616

Filing Date: January 15, 2002

Examiner: Michael G. Hartley

For: CHARGED LIPIDS AND USES FOR THE SAME

EXPRESS MAIL LABEL NO: EL970384749US
DATE OF DEPOSIT: January 9, 2004

EL970384749US

☐ MS Non-Fee ☐ MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TRANSMITTAL LETTER

- ☐ A Preliminary Amendment.
- ☒ A Reply Responsive to the Office Action Dated October 2, 2003.
- ☐ A Reply Supplemental to the Paper filed
- ☐ A Substitute Specification (pages 1 -) in clean form.
 - ☐ A substitute specification (pages 1 -) with markings.
- ☐ An Abstract is enclosed.
- ☐ replacement sheets of drawings are enclosed comprising figures
- ☐ Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.
- ☐ Petition is hereby made to accept drawing(s)/photograph(s) in this case.

DOCKET NO.: UNGR-1629

PATENT

- ☐ Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- ☐ An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☒ Supplemental Information Disclosure Statement.
 - ☒ Attached Form 1449.
 - ☒ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☒ A Terminal Disclaimer is attached.
- ☐ Appendices as follows:
- ☒ Other: Communication Regarding Information Disclosure Statement; and Statement Under 37 CFR § 3.73(b).
- ☐ **No Additional Fee is Due.**
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	32	(20 MINIMUM) 34		\$9 EACH	\$	\$18 EACH	\$00
INDEP. CLAIMS	1	(3 MINIMUM) 3		\$43 EACH	\$	\$86 EACH	\$00
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$145	\$	\$290	\$00
<input checked="" type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$110.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$210	\$	\$420	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$475	\$	\$950	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$740	\$	\$1480	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$1005	\$	\$2010	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input checked="" type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$110.00
<input checked="" type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS: Supplemental Information Disclosure Statement Fee							\$180.00
TOTAL FEE DUE					\$		\$400.00


- ☒ A check in the amount of **\$400.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of .00 . This sheet is attached in duplicate.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of _____ to and through _____ comprising an extension of the shortened statutory period of _____ month(s).

DOCKET NO.: UNGR-1629

PATENT

- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: January 9, 2004



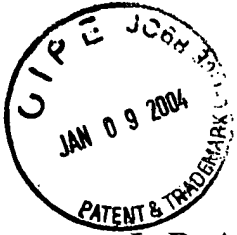
Leslie E. Aberman
Registration No. 54,836

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

© 2004 WW

DOCKET NO.: UNGR-1629

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Evan C. Unger

Confirmation No.: 7636

Serial No.: 10/046,801

Group Art Unit: 1616

Filing Date: January 15, 2002

Examiner: M. Hartley

For: CHARGED LIPIDS AND USES FOR SAME

EXPRESS MAIL LABEL NO: EL97038474945
DATE OF DEPOSIT: JANUARY 9, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR § 3.73(b)

ImaRx Therapeutics, Inc., of 1635 E. 18th Street, Tucson, AZ 85719, a corporation of Delaware states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above.
☐ 1. The assignment was recorded in the Patent and Trademark Office at Reel , Frame(s)
☐ 2. The assignment has not yet been recorded. A copy of the assignment is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- i. From: Evan C. Unger To: ImaRx Pharmaceutical Corp. The document was recorded in the Patent and Trademark Office at Reel 010718, Frame(s) 0274. A copy thereof is attached.
 - ii. From: ImaRx Pharmaceutical Corp. To: ImaRx, LLC. The document was recorded in the Patent and Trademark Office at Reel 011425, Frame(s) 0046. A copy thereof is attached.
 - iii. From: ImaRx, LLC To: ImaRx Therapeutics, Inc. The document was recorded in the Patent and Trademark Office at Reel 011425, Frame(s) 0432. A copy thereof is attached.
 - iv. From: ImaRx Therapeutics, Inc To: ImaRx Therapeutics, Inc. The document was recorded in the Patent and Trademark Office at Reel 011436, Frame(s) 0117. A copy thereof is attached.
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: Dec. 24, 2003



Signature

Name: Nina Ossanna, Ph.D.

Title: Senior Director, Business Development &
Corporate Secretary

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439